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3 UNITED STATES DISTRICT COURT  
4 WESTERN DISTRICT OF WASHINGTON  
5 AT TACOMA

6 PATRICK T. REED,

7 Plaintiff,

8 v.

9 MICHAEL J. ASTRUE, Commissioner of  
10 Social Security,

11 Defendant.

Case No. 10-5910 RBL-KLS

REPORT AND RECOMMENDATION

12 This matter has been referred to the undersigned Magistrate Judge pursuant to 28 U.S.C.  
13 § 636(b)(1)(B) and Local Rule MJR 4(a)(4) and as authorized by Mathews, Secretary of H.E.W.  
14 v. Weber, 423 U.S. 261 (1976). This matter is before the Court on the stipulated motion for  
15 remand. (ECF #28). After reviewing the parties' stipulated motion and the remaining record, the  
16 undersigned recommends that the Court grant the parties' motion, and remand this matter to the  
17 Commissioner for further proceedings.

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19 This Court recommends that on remand to the Commissioner of Social Security, the  
20 Appeals Council will remand this case to the Administrative Law Judge (ALJ) to:

- 21 1) Evaluate and further develop the medical opinions of record, including those of  
22 Michael L. Brown, Ph.D.; and Silverio Arenas, Jr., Ph.D.;
- 23 2) Evaluate and further develop the opinions of Robert R. Pingree, L.M.H.C.; and  
24 William Grimberg, L.M.H.C.;
- 25 3) Re-evaluate Plaintiff's residual functional capacity (RFC) as necessary;
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1 4) Re-evaluate whether Plaintiff's work as a fertilizer mixer constituted past relevant  
2 work, or whether it was an unsuccessful work attempt; and

3 5) In light of the Plaintiff's re-evaluated RFC, and re-evaluated past relevant work  
4 history, evaluate Plaintiff's ability to perform any past relevant work, or, as  
5 necessary, other work that exists in significant numbers in the national economy,  
6 obtaining vocational expert testimony if necessary.  
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8 The ALJ will offer Plaintiff an opportunity for a de novo hearing. Plaintiff may also  
9 present new arguments and further medical evidence, if such evidence becomes available.

10 Given the fact of the parties' stipulation, the Court recommends that the District Judge  
11 immediately approve this Report and Recommendation and order the case **REVERSED** and  
12 **REMANDED**. A proposed order accompanies this Report and Recommendation.

13 DATED this 23rd day of June, 2011.  
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16 Karen L. Strombom  
17 United States Magistrate Judge  
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